

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF VENTURA
VENTURA**

MINUTE ORDER

DATE: 06/03/2015

TIME: 08:30:00 AM

DEPT: 43

JUDICIAL OFFICER PRESIDING: Kevin DeNoce

CLERK: Tiffany Froedge

REPORTER/ERM: Irene Abbey

CASE NO: **56-2014-00458073-CU-AS-VTA**

CASE TITLE: **Robert Denyer vs AB Electrolux**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Asbestos

EVENT TYPE: Joinder in Defendants Ex parte application for Order Vacating Trial Date and Staying Action and for Other Alternative Relief

MOVING PARTY: Kelly Moore Paint Company Inc

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other for Order Vacating Trial Date and Staying Action and for other Alternative relief, 06/02/2015

EVENT TYPE: Ex Parte joinder to ex parte to continue trial [Lennox Industries]

MOVING PARTY: LENNOX INDUSTRIES INC

CAUSAL DOCUMENT/DATE FILED: Joinder of Lennox Industries Inc to Ex parte application for Order vacating trial date and staying action etc, 06/02/2015

EVENT TYPE: Ex Parte Duro Dyne Corp joinder in the joint defts Ex Parte application for order vacating trial date & staying action or in the alternative application under code of civil procedure section 1008a for reconsideration of order granting plts Motion for trial

MOVING PARTY: Duro Dyne Corporation

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other Duro Dyne Corp joinder in the joint defts Ex Parte application for order vacating trial date & staying action or in the alternative application under code of civil procedure section 1008a for reconsideration of order granting plts Motion for trial, 06/02/2015

Additional events listed on last page.

APPEARANCES

Stephen M. Fishback, counsel, present for Plaintiff(s).

April Galfayan, specially appearing for counsel Kenneth B Prindle, present for Defendant(s).

Robert Menchini, specially appearing for counsel Gary D Sharp, present for Defendant(s).

ANN I PARK, counsel, present for Defendant(s).

Stephanie Bowlby, specially appearing for counsel Stephen M. Nichols, present for Defendant(s).

Frederic Norris, specially appearing for counsel LISA K OBERG, present for Defendant(s).

Kimberly Quon, specially appearing for counsel CHARLES T. SHELDON, present for Defendant(s).
Taylor Day, specially appearing for counsel Amy Talarico, present for Defendant(s).
Anthony J Calero, counsel, present for Defendant(s) telephonically.
Nathan T Newman, counsel, present for Defendant(s) telephonically.
Additional appearances listed on last page.

At 8:59 a.m., court convenes in this matter with all parties present as previously indicated.

Telephonic appearance by counsel for Hill Brothers, Whirlpool Corp, Goodman Manufacturing, Goodloe and others stated above.

Matter submitted to the Court with argument.

The Court finds/orders:

The court notes that this hearing also includes Joinder by York International Corp and The Coleman Company Inc that was scheduled for own hearing due clerical oversight.

The Ex Parte to vacate the trial date is granted.

The request for preferential trial date is now revoked pursuant to CCP 1008 and is now denied due to the death of Mr. Denyer. The 9/14/15 jury trial date is now vacated.

Mr. Fishback states that he currently does not have a client, but that he will be proceeding by way of a successor in interest which has not yet been appointed.

The Court orders the case and any outstanding discovery orders stayed pending a successor in interest declaration and noticed motion being filed and heard by the court.

All currently set motions and reservations for hearings are now vacated.

The formal order was signed this date.

Notice to be given by Ms. Parks.

The court sets a status conference re: filing of appointment of successor of interest declaration and motion for 8/3/15 at 8:30 a.m. in Courtroom 43.

Notice to be given by clerk.

ADDITIONAL EVENTS:

EVENT TYPE: Ex Parte Application Joint for order vacating trial date and staying action; or, in the alternative, applic. under code of civil proc. sect. 1008(a) for reconsideration of order granting pltfs' mot. for trial preference; or, in the altern. for order shorten

MOVING PARTY: Sears Roebuck and Co, HEATING & COOLING SUPPLY LLC, Bell Industries Inc, Familian Corporation

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other Application Joint for order vacating trial date and staying action; or, in the alternative, applic. under code of civil proc. sect. 1008(a) for reconsideration of order granting pltfs' mot. for trial preference; or, in the altern. for order shorten, 06/01/2015

EVENT TYPE: Ex Parte joinder to ex parte to continue trial [Rain Manufacturing]

MOVING PARTY: Rheem Manufacturing Company

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other for Order Vacating Trial Date and Staying Action etc, 06/02/2015

EVENT TYPE: Joinder to Defendants Ex Parte application for order vacating trial date & staying action or application under CCP Sec 1008a for reconsideration of order granting pltfs motion for trial preference or for order shorting time for hearing on motion

MOVING PARTY: CARRIER CORPORATION, Electrolux Home Products Inc

CAUSAL DOCUMENT/DATE FILED: Joinder to Defendants Ex Parte application for order vacating trial date & staying action or application under CCP Sec 1008a for reconsideration of order granting pltfs motion for trial preference or for order shorting time for hearing on motion, 06/02/2015

ADDITIONAL APPEARANCES:

Mathew Schroeder, specially appearing for counsel Bruce Nye, present for Defendant(s).
Samantha Jackson, specially appearing for counsel Kelvin Wyles, present for Defendant(s).
Bjorn Green, specially appearing for counsel ROBERT W. ARMSTRONG, present for Defendant(s).
Lara Kruska, specially appearing for counsel Jeffrey W Deane, present for Defendant(s).
Previn Wick, specially appearing for counsel Natalie Ann Garcia, present for Defendant(s).
Kimberly Quon, specially appearing for counsel Hillary H Huth, present for Defendant(s).
Fred Lee, specially appearing for counsel Claire C Weglarz, present for Defendant(s).
Previn Wick, specially appearing for counsel FRANK D. POND, present for Defendant(s).